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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
SACRAMENTO DIVISION

GURUDU-GROUP LLC, a South Carolina
21 limited liability company,

22 Plaintiff,

23 v.

24 RAM ROBINSONS AUTOMATION
25 MACHINERY LLC, a Michigan limited
liability company; ROBINSONS
AUTOMATION MACHINERY LIMITED, a
26 United Kingdom business entity; and MINO
AUTOMATION USA INC., a Michigan
corporation,

27 Defendants.

28 Case No.: 2:22-cv-01973-WBS-JDP
Assigned to: Hon. William B. Shubb

STIPULATION AND ORDER:

**(1) WITHDRAWING MINO
AUTOMATION USA, INC.'S
MOTION TO DISMISS COMPLAINT
OR IN THE ALTERNATIVE TO
TRANSFER VENUE WITHOUT
PREJUDICE AND VACATING
HEARING ON SAME; AND**

**(2) CONTINUING PRETRIAL
SCHEDULING CONFERENCE**

STIPULATION

WHEREAS, plaintiff Gurudu-Group LLC (“Gurudu”) on November 1, 2022 filed its Complaint (ECF No. 1) in the above-captioned action;

WHEREAS, defendant Mino Automation USA Inc. (“Mino”) on January 3, 2023 filed its Motion Dismiss Complaint or in the Alternative to Transfer Venue (“Motion”) (ECF No. 17);

WHEREAS, the Motion is currently set for hearing on February 21, 2023 at 1:30 p.m. in Courtroom 5 of the above-captioned Court;

WHEREAS, Robinsons Automation Machinery Limited (“Robinson UK”) has accepted service of the summons but intends to contest the Court’s jurisdiction over it in this action on or before the responsive pleading deadline of February 21, 2023;

WHEREAS, Gurudu, Mino, and Robinsons Automation Machinery Limited (collectively, the “Parties”) have been in regular communication regarding a potential settlement;

WHEREAS, on January 17, 2023, the Parties participated in a teleconference and agreed to participate in private mediation;

WHEREAS, the Parties have agreed to mediate before Ted D. Levin in March 2023;

WHEREAS, the Parties agree that withdrawing the Motion without prejudice to refile, vacating the hearing on the Motion, deferring Mino's responsive pleading deadline, and deferring Robinson UK's responsive pleading deadline will facilitate settlement and promote judicial economy;

WHEREAS, the Parties agree that Mino's deadline to file a responsive pleading pursuant to Federal Rule of Civil Procedure 12 should be extended to April 10, 2023 to allow time for mediation to be completed;

WHEREAS, the Parties agree that Robinson UK's deadline to file a responsive pleading pursuant to Federal Rule of Civil Procedure 12 should be extended to April 10, 2023 to allow time for mediation to be completed;

WHEREAS, Gurudu agrees to waive any argument that a renewed motion filed by Mino is untimely, provided that it is filed on or before April 10, 2023 and Gurudu further agrees that no responsive pleading or motion to transfer venue is required to be filed by Mino until April 10,

1 2023;

2 WHEREAS, a Pretrial Scheduling Conference is currently set for February 27, 2023 at
3 1:30 p.m. in Courtroom 5 of the above-captioned Court (ECF No. 3);

4 WHEREAS, the Parties agree that continuing the Pretrial Schedule to a date after
5 mediation will facilitate settlement and promote judicial economy;

6 WHEREAS, the Parties agree that nothing set forth in this Stipulation constitutes a waiver
7 of any party's right to contest jurisdiction over it in this action.

8 NOW THEREFORE, IT IS HEREBY STIPULATED by the Parties, through their
9 respective attorneys of record, and subject to the Court's approval, that:

10 1. Mino's Motion is withdrawn, without prejudice, and may be refiled at a later date.
11 2. The hearing on Mino's Motion is vacated without prejudice.
12 3. Mino's deadline to file a responsive pleading pursuant to Federal Rule of Civil
13 Procedure 12 and/or a motion to transfer venue is extended to April 10, 2023.

14 4. Robinson UK's deadline to file a responsive pleading pursuant to Federal Rule of
15 Civil Procedure 12 is extended to April 10, 2023.

16 5. Gurudu waives any argument that a motion or responsive pleading filed by Mino
17 pursuant to Federal Rule of Civil Procedure 12 and/or a motion to transfer venue is untimely,
18 provided that the motion or responsive pleading is filed on or before April 10, 2023.

19 6. The Pretrial Scheduling Conference is continued to April 24, 2023 at 1:30 p.m. or
20 another date convenient for the Court.

21 7. The Parties submit that it would be appropriate for the Court to defer any
22 requirements under Federal Rules of Civil Procedure 16 and 26, Local Rule 240, and this Court's
23 Order (ECF No. 3) until after the Court addresses and resolves any anticipated motions impacting
24 the jurisdiction or venue of this Court.

25 SO STIPULATED.

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1 Dated: February 2, 2023

MILLS SADAT DOWLAT LLP

2 By: /s/ Arash Sadat
Arash Sadat

3 Attorneys for Plaintiff
4 Gurudu-Group LLC

5 Dated: February 2, 2023

6 MILLER, CANFIELD, PADDOCK AND
7 STONE PLC

8 By: /s/ Q. Scott Kaye
9 Q. Scott Kaye

10 Attorneys for Defendant
11 Mino Automation USA Inc.

12 Dated: February 2, 2023

13 FOX ROTHSCHILD LLP

14 By: /s/ Dwight C. Donovan
15 Dwight C. Donovan

16 Attorneys for Specially Appearing Defendant
17 Robinsons Automation Machinery Limited

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1 **ORDER**

2 IT IS HEREBY ORDERED, pursuant to the stipulation of plaintiff Gurudu-Group LLC
3 (“Gurudu”), defendant Mino Automation USA Inc. (“Mino”), and Robinsons Automation
4 Machinery Limited (“Robinson UK,” and, collectively with Gurudu and Mino, the “Parties”), and
5 good cause appearing therefor, that:

6 1. Mino’s Motion Dismiss Complaint or in the Alternative to Transfer Venue
7 (“Motion”) (ECF No. 17) is withdrawn, without prejudice, and may be refiled at a later date.

8 2. The February 21, 2023 hearing on Mino’s Motion is vacated.

9 3. Mino’s deadline to file a motion or responsive pleading pursuant to Federal Rule
10 of Civil Procedure 12 or to transfer venue is extended to April 10, 2023.

11 4. Robinson UK’s deadline to file a responsive pleading pursuant to Federal Rule of
12 Civil Procedure 12 is extended to April 10, 2023.

13 5. Gurudu waives any argument that a motion or responsive pleading filed by Mino
14 pursuant to Federal Rule of Civil Procedure 12 or to transfer venue is untimely, provided that the
15 motion or responsive pleading is filed on or before April 10, 2023.

16 6. The Pretrial Scheduling Conference is continued to **July 31, 2023 at 1:30 p.m.**

17 7. The Parties deadline to agree on a discovery plan pursuant to Federal Rule of Civil
18 Procedure 26(f) is extended to a date following the Court’s ruling on anticipated motions
19 challenging jurisdiction and venue.

20 8. The Parties’ deadline to submit to the Court a Joint Status Report in accordance
21 with Local Rule 240 and this Court’s Order (ECF No. 3) is extended to **July 17, 2023**.

22 IT IS SO ORDERED.

23 Dated: February 3, 2023


24 WILLIAM B. SHUBB
25 UNITED STATES DISTRICT JUDGE
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